



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,487	11/05/2003	Akio Hitachi	244895US6	6276
22850	7590	01/29/2007	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			DEBNATH, SUMAN	
			ART UNIT	PAPER NUMBER
			2135	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/29/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/700,487	HITACHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Suman Debnath	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 11/05/2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-25 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-25 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 05 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>See Continuation Sheet</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :04/19/2004, 06/09/2004 & 10/11/2006.

**DETAILED ACTION**

1. Claims 1-25 are pending in this application.

***Drawings***

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Reference character "86" is used in specification to designate a "hierarchical level TEXT" (page 16, line 18) but not in FIG. 3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

4. The disclosure is objected to because of the following informalities:

Reference character "86" is used in specification to designate a "hierarchical level TEXT" (page 16, line 18) but not in FIG. 3.

Appropriate correction is required.

*ok no 112 2nd*

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. The claims 1-25 are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1 and 4-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Subler et al. (Patent Number: 5,646,992), hereinafter Subler.

10. As to claim 1, Subler discloses an authoring apparatus, comprising: a structure creating portion for encrypting a plurality of input contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item) and creating a structure for recording the plurality of contents on a recording medium (column 9, lines 46-48); and a data output portion for grouping the plurality of keys with which the plurality of contents have been encrypted (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), creating the grouped encrypted keys (column 9, lines 52-54), and outputting the plurality of contents in a recordable format to the recording medium in accordance with the structure created by the structure creating portion (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output by the data output portion (column 9, lines 47-48 and lines 54-56).

11. As to claim 4, Subler disclose the authoring apparatus wherein the grouped encryption keys are created by correlating the keys (column 9, lines 11-13) and identifiers that identify the contents encrypted in accordance with to keys (column 9, lines 48-52).
12. As to claim 5, Subler discloses the authoring apparatus wherein the grouped encrypted keys contain license information about the contents (column 10, lines 7-9 and lines 21-23).
13. As to claim 6, Subler discloses the authoring apparatus, wherein the structure for recording the plurality of contents on the recording medium (column 9, lines 15-20), the plurality of contents, and the plurality of keys with which the plurality of contents have been encrypted are recorded on a predetermined recording medium (column 9, lines 17-18 and lines 43-46) and the predetermined recording medium is supplied from the structure creating portion to the data output portion (column 9, lines 46-50).
14. As to claim 7, Subler discloses an authoring method, comprising the steps of: encrypting a plurality of input contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item) and creating a structure for recording the plurality of contents on a recording medium (column 9, lines 46-48); and grouping the plurality of keys with which the plurality of contents have been encrypted (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys

(column 9, lines 52-54), creating the grouped encrypted keys (column 9, lines 52-54), and outputting the plurality of contents in a recordable format to the recording medium in accordance with the structure created at the structure creating step (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output at the data output step (column 9, lines 47-48 and lines 54-56).

15. As to claim 8, Subler discloses an authoring program for causing a computer to execute an authoring method, comprising the steps of: encrypting a plurality of input contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item) and creating a structure for recording the plurality of contents on a recording medium (column 9, lines 46-48); and grouping the plurality of keys with which the plurality of contents have been encrypted (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), creating the grouped encrypted keys (column 9, lines 52-54), and outputting the plurality of contents in a recordable format to the recording medium in accordance with the structure created at the structure creating step (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output at the data output step (column 9, lines 47-48 and lines 54-56).

16. As to claim 9, Subler discloses a recording medium on which an authoring program has been recorded, the authoring program being configured to cause a computer to execute an authoring method, comprising the steps of: inputting a plurality

of contents (FIG. 4), encrypting the plurality of contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item), and creating a structure for recording the plurality of contents on a recording medium (column 9, lines 46-48); and grouping the plurality of keys with which the plurality of contents have been encrypted (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), creating the grouped encrypted keys (column 9, lines 52-54), and outputting the plurality of contents in a recordable format to the recording medium in accordance with the structure created at the structure creating step (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output at the data output step (column 9, lines 47-48 and lines 54-56).

17. As to claim 10, Subler discloses an authoring apparatus, comprising: a structure creating portion for creating a structure for recording a plurality of input contents on a recording medium (column 9, lines 46-48); and a data output portion for encrypting the plurality of contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item), grouping the plurality of keys with which the plurality of contents have been encrypted (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), creating the grouped encrypted keys (column 9, lines 52-54), and outputting the grouped encrypted keys in a recordable format to the recording medium (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output by the data output portion (column 9, lines 47-48 and lines 54-56).

18. As to claim 11, Subler discloses an authoring method, comprising the steps of: creating a structure for recording a plurality of input contents on a recording medium (column 9, lines 46-48); and encrypting the plurality of contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item), grouping the plurality of keys with which the plurality of contents have been encrypted (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), creating the grouped encrypted keys (column 9, lines 52-54), and outputting the grouped encrypted keys in a recordable format to the recording medium (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output at the data output step (column 9, lines 47-48 and lines 54-56).

19. As to claim 12, Subler discloses an authoring apparatus, comprising: a structure creating portion for creating a structure for recording a plurality of input contents on a recording medium (FIG. 4); grouped encrypted key creating means for grouping a plurality of keys (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), and creating the grouped encrypted keys (column 9, lines 52-54); a data output portion for outputting the plurality of contents in a format recordable to the recording medium in accordance with the structure created by the structure creating portion (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output by the data output portion (FIG. 4, column 9, lines 48-54 ), and encrypting means for encrypting the plurality of contents with different keys (FIG. 4, column 9, lines 41-46,

which describes a unique item encryption key is used to encrypt each item), wherein the encrypting means is included in at least one of the structure creating portion and the data output portion (column 9, lines 46-48), the grouped encrypted key creating means being configured to encrypt the plurality of keys with which the plurality of contents have been encrypted (column 9, lines 48-54) and create the grouped encrypted keys (column 9, lines 52-54).

20. As to claim 13, Subler discloses an authoring method, comprising the steps of: creating a structure for recording a plurality of input contents on a recording medium (column 9, lines 46-48); grouping a plurality of keys (FIG. 4, column 9, lines 48-50, "key file"), encrypting the grouped keys (column 9, lines 52-54), and creating the grouped encrypted keys (column 9, lines 52-54); outputting the plurality of contents in a format recordable to the recording medium in accordance with the structure created at the structure creating step (FIG. 4, column 9, lines 44-47), the grouped encrypted keys being output at the data output step (FIG. 4, column 9, lines 52-54), and encrypting the plurality of contents with different keys (FIG. 4, column 9, lines 41-46, which describes a unique item encryption key is used to encrypt each item), wherein the encrypting step is included in at least one of the structure creating step and the data output step (FIG. 4, column 9, lines 44-47), the grouped encrypted key creating step being performed by encrypting the plurality of keys with which the plurality of contents have been encrypted (column 9, lines 44-54) and creating the grouped encrypted keys (column 9, lines 52-54).

***Claim Rejections - 35 USC § 103***

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subler in view of Thomson et al. (GB 2344925 A), hereinafter Thomson.

23. As to claim 2, Subler discloses the authoring apparatus recording means for recording the plurality of contents that are encrypted contents (FIG. 4, item 174). Subler doesn't explicitly disclose a authoring apparatus wherein the recording medium has two recording areas that are independently managed, and wherein the authoring apparatus further comprises: recording means for recording the plurality of contents that are encrypted contents in one recording area of the recording medium and contents that are plain text in the other recording area thereof.

However, Thomson discloses the authoring apparatus wherein the recording medium has two recording areas that are independently managed (FIG. 2, FIG. 7, page 4, lines 5-10), and wherein the authoring apparatus further comprises: recording means for recording the plurality of contents that are encrypted contents in one recording area of the recording medium (FIG. 7, page 5, lines 4-5) and contents that are plain text in the other recording area thereof (FIG. 7, page 4, lines 5-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Subler by independently managing two recording areas for recording encrypted contents in one recording area and plain text in the other recording area of the recording medium as taught by Thomson in order to "produce an interactive CD-album with high speed download capabilities." (Thomson, page 9, lines 12-15)

24. As to claim 3, Subler doesn't explicitly disclose the authoring apparatus wherein the plurality of contents that are encrypted content data recorded in the first recording area correspond to the contents that are plain content data recorded in the second recording area.

However, Thomson discloses the authoring apparatus wherein the plurality of contents that are encrypted content data recorded in the first recording area (FIG. 7, item 54, page 5, lines 4-5) correspond to the contents that are plain content data recorded in the second recording area (FIG. 7, item 46, page 4, lines 5-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Subler by recording encrypted content in the first recording area and plain content in the second recording area as taught by Thomson in order to "produce an interactive CD-album with high speed download capabilities." (Thomson, page 9, lines 12-15)

25. Claims 14-16 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. (Patent Number: 5,434,991), hereinafter Maeda in view Subler.

26. As to claim 14, Maeda discloses an authoring apparatus, comprising: file creating means for creating a file in which a content is stored (column 25, lines 65-68); management information creating means for creating a management structure for managing the file created by the file creating means (column 27, lines 27-31 and lines 44-50, column 28, lines 16-19); data converting means for converting the file into data in a predetermined format recordable to a recording medium in accordance with the management structure created by the management structure creating means (column 23, lines 30-38); wherein the file creating means (FIG. 7, item 20), the management structure creating means (FIG. 7, item 14), and the data converting means (FIG. 7, item 7) are structured as independently executable modules (FIG. 7), and wherein the output data of the file creating means (column 25, lines 65-68) and output the data to the management structure creating means or output data of the management structure creating means (column 27, lines 27-31) and output the data to the data changing means (column 23, lines 30-47).

Maeda doesn't explicitly disclose encrypting means for encrypting the content, and the encrypting means is structured as independently executable module, and wherein the encrypting means is configured to encrypt output data.

However, Subler discloses encrypting means for encrypting the content (FIG. 4, lines 41-42), and the encrypting means is structured as independently executable module (FIG. 2), and wherein the encrypting means is configured to encrypt output data (column 9, lines 32-34, which describes items are compressed and then encrypted).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda by creating an independently executable encryption module and by encrypting the output data as taught by Subler in order to provide "the publisher with powerful tools both for marketing and for controlling access to items to be distributed (Subler, column 3)." Furthermore, one would be motivated to do so in order to reserve the confidentiality and integrity of any desired item.

27. As to claim 15, Maeda discloses the authoring apparatus wherein the file is composed of the content, and management data with which the content is managed (FIG. 7, column 25, lines 65-68 and column 26, lines 4-18).

28. As to claim 16, Maeda discloses the authoring apparatus wherein the file is capable of integrally handing a plurality of types of data (column 18, lines 10-16).

29. As to claim 23, it is rejected using the same rationale as for the rejection of claim 14.

30. As to claim 24, it is rejected using the same rationale as for the rejection of claim 14.

31. As to claim 25, it is rejected using the same rationale as for the rejection of claim 14.

32. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda in view Subler and in further view of Thomson.

33. As to claim 17, Neither Maeda nor Subler explicitly disclose the authoring apparatus wherein the recording medium having a plurality of recording areas, and wherein the authoring apparatus further comprises: recording means for recording the encrypted content and plain content to a first recording area of the recording medium and a second recording area thereof, respectively.

However, Thomson discloses the authoring apparatus wherein the recording medium having a plurality of recording areas (FIG. 7), and wherein the authoring apparatus further comprises: recording means for recording the encrypted content and plain content to a first recording area of the recording medium and a second recording area thereof, respectively (FIG. 7, page 5, lines 4-5, page 4, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda and Subler by recording encrypted content and plain content in the first and second recording area as

taught by Thomson in order to "produce an interactive CD-album with high speed download capabilities." (Thomson, page 9, lines 12-15)

34. As to claim 18, Neither Maeda nor Subler explicitly disclose the authoring apparatus wherein the encrypted content recorded in the first recording area corresponds to the plain content recorded in the second recording area.

However, Thomson discloses the authoring apparatus wherein the encrypted content recorded in the first recording area (FIG. 7, page 5, lines 4-5) corresponds to the plain content recorded in the second recording area (FIG. 7, lines 5-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda and Subler by recording encrypted content in the first recording area and plain content in the second recording area as taught by Thomson in order to "produce an interactive CD-album with high speed download capabilities." (Thomson, page 9, lines 12-15)

35. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda in view Subler and in further view of Kuroda (Pub. No.: US 2002/0129254 A1).

36. As to claim 19, Neither Maeda nor Subler explicitly disclose the authoring apparatus wherein an encrypting format of the encrypting means is represented by

format information, the format information being embedded in the file after the format information has been encrypted.

However, Kuroda discloses the authoring apparatus wherein an encrypting format of the encrypting means is represented by format information; the format information being embedded in the file after the format information has been encrypted (FIG. 2B, [0082]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda and Subler by encrypting format information embedded as taught by Kuroda in order to let the end user fetch the content without error, hence this makes it possible to surely keep with the correct format information. Furthermore, one would be motivated to do so in order to keep up with the integrity and confidentiality of the file format.

37. As to claim 20, Maeda discloses the authoring apparatus further comprising: controlling means for executing instructions for the file creating means (FIG. 7, item 13 and 20), the management structure creating means (FIG. 7, column 25, lines 65-68 and column 27, lines 27-30), the data converting means (column 23, lines 30-38).

Neither Maeda nor Subler explicitly discloses the encrypting means with an instruction file composed of a parameter and meaning data that represents meaning of the parameter. However, Kuroda discloses the encrypting means with an instruction file composed of a parameter and meaning data that represents meaning of the parameter (FIG. 2B, [0082]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda and Subler as taught by Kuroda in order to let the end user fetch the content without error, hence this makes it possible to surely deliver contents with the correct information. Furthermore, one would be motivated to do so in order to keep up with the integrity and confidentiality of the desired contents.

38. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda in view Subler and in further view of Nakano et al (Pub. No.: US 2002/0076204 A1), hereinafter Nakano.

39. As to claim 22, Neither Maeda nor Subler explicitly discloses the authoring apparatus wherein a software player for reproducing the content is recorded on the recording medium. However, Nakano discloses the authoring apparatus wherein a software player for reproducing the content is recorded on the recording medium ([0046], lines 1-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda and Subler by adding a software player on the recording medium for reproducing the content as taught by Nakano in order to reproduce data from the recording medium with only authorized and delivered software players.

40. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda in view Subler, in view of Kuroda and in further view of Gabryjelski.

41. As to claim 21, Neither Maeda, Subler nor Kuroda explicitly disclose the authoring apparatus wherein the instruction file is in an XML format. However, Gabryjelski discloses the authoring apparatus wherein the instruction file is in an XML format (column 11, lines 35-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Maeda, Subler and Kuroda by creating instruction file in an XML format as taught by Gabryjelski in order to deliver instructions in a convenient way so that instruction can be transformed to any other desired format without making it a time-consuming task.

### ***Conclusion***

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See accompanying PTO 892.

Miles (Pub. No.: US 2003/0169878 A1) discloses a method for data protection system.

Itkis (Patent No.: US 6,880,081 B1) disclose a key management structure for content protection.

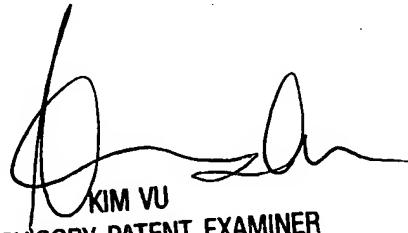
Tatebayaski et al. (Patent No.: US 6,859,535 B1) discloses a digital content protection system.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suman Debnath whose telephone number is 571 270 1256. The examiner can normally be reached on 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SD  
40  
01/21/07

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100